

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4795 of 2018**

Shabi @ Shabi Singh S/o Sivan Singh Aged About 19 Years R/o Village Jilibandh, P.S. And Tahsil Khadganwa, District Korea, Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Chirmiri, District Korea, Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant : Smt. Indira Tripathi, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 67 of 2018, registered at Police Station Chirmiri, District Korea, Chhattisgarh for the offence punishable under Section 376 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 13.3.2018 and has been falsely implicated in this case. The prosecutrix in this case is a major girl aged about 18 years and she was a consenting party. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The allegation against the applicant is that he allured the prosecutrix with false promise to marry her and then established physical relationship with her because of which, the prosecutrix having pregnancy of about 5 months; and ultimately when the applicant refused to marry the prosecutrix, then she has lodged FIR against him.
6. Considering the entire material present in the case-diary, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge